

### **REMARKS**

This paper is responsive to any paper(s) indicated above, and is responsive in any other manner indicated below.

### **CONCURRENT REQUEST FOR CONTINUED EXAMINATION (RCE)**

Submitted concurrently herewith is a Request for Continued Examination (RCE) transmittal. In the event that the RCE transmittal is not filed herewith, then this paper should be taken as a request for the filing of an RCE.

### **PRIOR AMENDMENT ASSUMED TO BE ENTERED**

Applicant's prior 29 February 2008 Amendment (and any associated papers) is assumed to have been entered (e.g., as a result of the filing of the present RCE). Attention is directed to, and the Examiner should consider, the contents of such paper(s) in the continuing prosecution of this application.

### **RCE FILED TO AVOID PROSECUTION DELAYS**

In view of the significant features/limitations of the amended and/or added claims being inappropriate (i.e., deniable) for entry after final rejection in that such would require significant further search and/or consideration, the present RCE was filed to

avoid Advisory Action delay and to gain immediate entry/consideration of such feature/limitations. In view of the significant features/limitations of the amended and/or added claims, it is respectfully submitted that it would NOT BE PROPER to make a FIRST ACTION FINAL within the present RCE.

### **PENDING CLAIMS**

Claims 1 and 4-8 were pending, under consideration and subjected to examination in the Office Action. Appropriate claims have been amended, canceled and/or added (without prejudice or disclaimer) in order to adjust a clarity and/or focus of Applicant's claimed invention. That is, such changes are unrelated to any prior art or scope adjustment and are simply refocused claims in which Applicant is present interested. At entry of this paper, Claims 1 and 4-14 will be pending for further consideration and examination in the application.

### **REJECTION UNDER 35 USC '102**

The 35 USC '102 rejection of claims 1 and 4-8 as being anticipated by Miike et al. (U.S. Patent 5,767,414) is respectfully traversed. However, such rejections have been rendered obsolete by the present clarifying amendments to Applicant's claims, and accordingly, traversal arguments are not appropriate at this time. However, Applicant respectfully submits the following to preclude renewal of any such rejections against Applicant's clarified claims.

All descriptions of Applicant's disclosed and claimed invention, and all descriptions and rebuttal arguments regarding the applied prior art, as previously submitted by Applicant in any form, are repeated and incorporated hereat by reference. Further, all Office Action statements regarding the prior art rejections are respectfully traversed. As additional arguments, Applicant respectfully submits the following.

In order to properly support a '102 anticipatory-type rejection, any applied art reference must disclose each and every limitation of any rejected claim. The applied art does not adequately support a '102 anticipatory-type rejection because, at minimum, such applied art does not disclose (or suggest) the following discussed limitations of Applicant's claims. That is, Applicant respectfully submits the following.

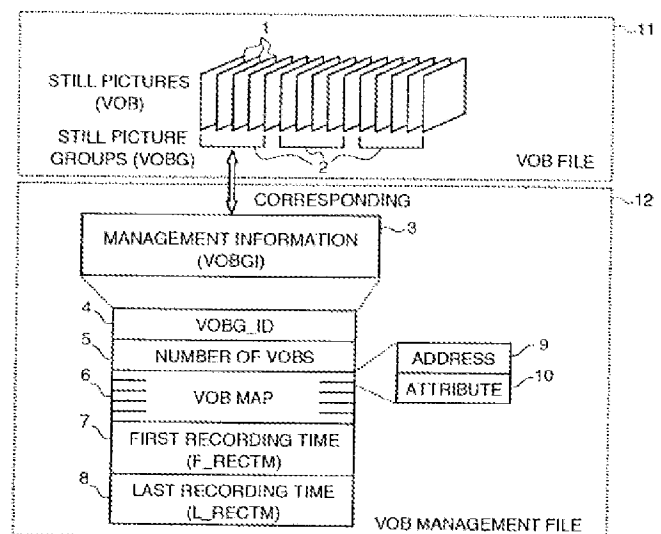
In beginning discussions, Applicant's disclosed and claimed invention is directed to an improved arrangement which can be used to playback or record a large number of separately-stored still image files (or documents) arranged into a group (i.e., collection), while at the same time, allowing fast searches with respect to the group, and only requiring a small amount of memory resources to store **group management information**. More particularly, in the art, when a digital camera takes still pictures, individual still pictures are stored within separate computer files. Applicant's invention may be used to divide a plurality of separately-stored still image files into different **groups**, e.g., by forming a new group for every 64 still pictures. If a search for a picture based upon a picture's origination (i.e., production) time is performed with respect to the group, and if the search was required to compare against a start-time and/or end-time

**for each picture**, searching may be **onerous**, i.e., take a long processing time to perform the comparison with each picture's data, and a large memory would be required to store the start-time and/or end-time **for each picture**.

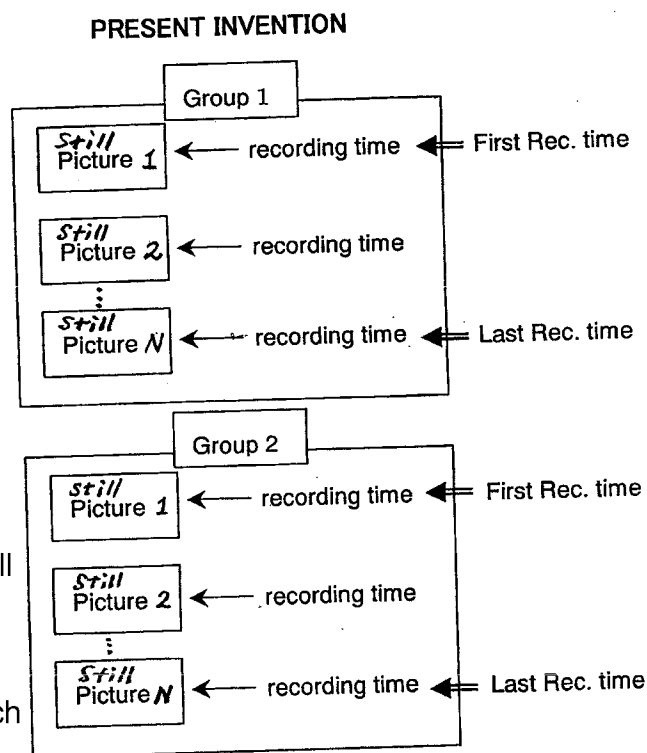
In order to allow quicker searching with respect to a group, and in order to afford the opportunity to reduce an amount of memory required for management information, Applicant's disclosed and claimed invention (using independent claim 1 as an example) includes an arrangement where "**said still picture group management information** includes **a first recording time at which the still picture data of an earliest-photographed still picture in said still picture group was recorded first by a picture-taking device**, and **a last recording time at which the still picture data of a latest-photographed still picture in said still picture group was recorded last by the picture-taking device**". Such "still picture group management information" is "**provided separately from any still picture management information** containing management information **for each still picture**". That is, if still picture management

information containing management information is provided (see **VOB map 6** in Applicant's **FIG. 1**, reproduced herewith for convenience), Applicant's "still picture group management information" **7, 8** is provided separate from the still picture management information.

FIG. 1



If two groups of still pictures were to be formed, a representation of such groups via Applicant's invention might be shown by the following sketch. Again, Applicant's invention can reduce an amount of memory required for group management information if the "first recording time at which the still picture data of an earliest-photographed still picture in said still picture group was recorded first by a picture-taking device, and a last recording time at which the still picture data of a latest-photographed still picture in said still picture group was recorded last by the picture-taking device" is included, but the recording time for each individual picture is excluded.



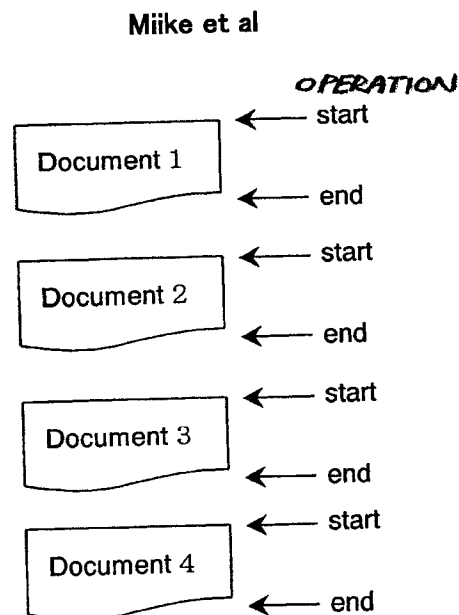
In terms of distinguishing features/limitations, Applicant's **independent claim 1** (taken as an example), recites: "A method for playing back a storage medium **storing still picture data of N still pictures stored in separate N files, respectively**, and **still picture group management information for managing still picture data and N still picture data of said N still pictures as a still picture group**, where N is an integer number equal to or larger than one, wherein **said still picture group management information is provided separately from any still picture management information containing management information for each still picture**, and **said still picture**

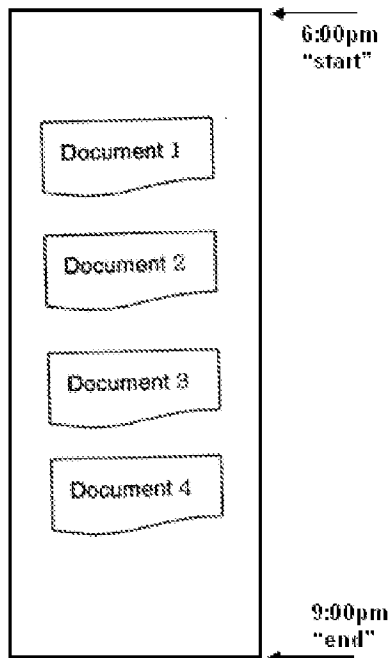
**group management information includes a first recording time at which the still picture data of an earliest-photographed still picture in said still picture group was recorded first by a picture-taking device, and a last recording time at which the still picture data of a latest-photographed still picture in said still picture group was recorded last by the picture-taking device**, said method comprising: receiving an entry of a predetermined time of interest regarding still pictures recorded by the picture-taking device; **comparing said predetermined time with said first and last recording times stored in said still picture group management information**; and selectively playing back the still picture data belonging to said still picture group **satisfying a condition in which said predetermined time is equal to or later than said first recording time and equal to or earlier than said last recording time.**” By having to perform comparison with only a first recording time and a last recording time (as opposed to comparing to the recording time of every picture within the group), Applicant’s disclosed and claimed invention is **able to search (i.e., compare and respond) very quickly**. Applicant’s other independent claims 4 and 5 have similar or analogous important features/limitations.

Turning now to rebuttal of the Miike et al. reference, Miike et al. does teach (column 47, lines 33-40, for example) saving a “**production start time**” and a “**production end time**” with respect to a produced “**document**”. However, a thorough understanding of the Miike et al. disclosure reveals that such teachings do not disclose or suggest Applicant’s claimed arrangement.

More particularly, it is respectfully submitted that Miike et al. **“document” is the same as a computer “file”, i.e., they are analogous**. So when Miike et al. speaks of “production start time” and a “production end time” with respect to a produced “document”, Miike et al. disclosure means that the time when production of **that particular document (or computer file)** is started, and the time when production of **that particular document (or computer file)** is completed, are saved with respect to **that document**. For example, if a user starts work at **6:00pm** on a word processing “document” and completes at **9:00pm**, then the **6:00pm** “production start time” and **9:00pm** “production end time” are saved with respect to that document (i.e., computer file).

If one were to take **four still pictures** at **1:00pm, 2:00pm, 3:00pm and 4:00pm**, respectively, then still picture files as examples of Miike et al.’s disclosed “document” arrangement, would be represented by the following sketch. That is, **each separate still picture would have its own “document” or computer file**, and **each separate still picture “document” would then have Miike et al.’s start time and end time** associated therewith.





As another example, if a user were then to start work at **6:00pm** on a word processing “document” (or a PowerPoint slide show “document”) incorporating the above **four pictures** therein, and complete the “document” at **9:00pm**, then the **6:00pm “production start time” and 9:00pm “production end time” of the word processing are saved with respect to that word processing (or PowerPoint) document (i.e., computer file).** Such may be represented as shown in the attached sketch. It is important to note and understand that the “start” and “end” times of the incorporated still pictures **would not** be associated with the “document”. In short, Miike et al.’s “document” **does not adopt the start/end times of the still pictures.**

In addition to the foregoing, the following additional remarks from **Applicant’s foreign representative** are also submitted in support of traversal of the rejection and patentability of Applicant’s claims.

The actual use of Applicant’s present invention is, for example, that the still picture images are shot by a digital still camera and then still image data are stored in a digital versatile disk (DVD) at each shot, and the data of many still images is managed based on the still picture group management information. The imaging device produces a time of the shooting (recording) of the first still image data and a time of shooting of the last still image data, and attaches the first recording time and the last recording time



to the **still picture group management information** for each **still picture group**.

Such still picture group management information is recorded together with the still picture data **in the optical disk** (see added dependent claims 7-10). The DVD is one type of optical disks. Since a digital video camera may also shoot the still images, it is not necessary to limit the imaging device to a still camera.

The disk player reproduces the still picture images from the optical disk. The still picture group management information is utilized in rapid search of desired still pictures and reproduction (playing back) of the desired still picture images from the optical disk. The still picture group management information includes **the first recording time and the last recording time of the still pictures in each group**.

The Examiner has stated that Miike et al. discloses, in col. 46, lines 46-50, that the easiest way to retrieve an image is to correspond that image to a certain time wherein that certain time can be its production time. However, the image referred in Miike et al does not means a still picture image but a video image that is a moving picture. The Examiner has also stated that it is well-known in the art that video images are created from a group of still pictures that are stored separately and linked together. The still pictures are produced separately and independently from each other. The moving picture is produced in a sequential shooting of image and composed of a series of frame images. The managing of the video image data for retrieving of data is very different from the managing of still picture image data. It is **meaningless to group a plurality of frames which are a part of a moving picture** for retrieving the moving

picture. Miike et al does not teach the grouping of the still picture images and the first and last recording times are checked in each of the still picture groups.

Miike et al discloses a data retrieval system for retrieving of a desired document data from a database of the computer system in which image data and audio data may also introduced into the database via the input unit. However, the input unit of Miike et al. does not produce a time of the shooting (recording) of the first still image data and a time of shooting of the last still image data, or attach the first recording time and the last recording time to the still picture group management information for each still picture group. Miike et al does not teach that the still picture group management information including the first and last recording times is recorded together with the still picture data in the optical disk before playing back of the optical disk. Further, Miike et al. does not teach that the disk player reproduces the still picture images from the optical disk, and the still picture group management information is utilized in rapid search of desired still pictures and reproduction (playing back) of the desired still picture images from the optical disk.

As a result of all of the foregoing, it is respectfully submitted that the applied art would not support a '102 anticipatory-type rejection of Applicant's claims. Accordingly, reconsideration and withdrawal of such '102 rejections, and express written allowance of all of the rejected claims, are respectfully requested.

### **EXAMINER INVITED TO TELEPHONE**

The Examiner is herein invited to telephone the undersigned attorneys at the local Washington, D.C. area telephone number of 703/312-6600 for discussing any Examiner's Amendments or other suggested actions for accelerating prosecution and moving the present application to allowance.

### **RESERVATION OF RIGHTS**

It is respectfully submitted that any and all claim amendments and/or cancellations submitted within this paper and throughout prosecution of the present application are without prejudice or disclaimer. That is, any above statements, or any present amendment or cancellation of claims (all made without prejudice or disclaimer), should not be taken as an indication or admission that any objection/rejection was valid, or as a disclaimer of any scope or subject matter. Applicant respectfully reserves all rights to file subsequent related application(s) (including reissue applications) directed to any/all previously claimed limitations/features which have been subsequently amended or cancelled, or to any/all limitations/features not yet claimed, i.e., Applicant continues (indefinitely) to maintain no intention or desire to dedicate or surrender any limitations/features of subject matter of the present application to the public.

### **CONCLUSION**

This Amendment is being submitted concurrently with the filing of a Request for Continued Examination (RCE) and does not present any changes which would require further search, consideration or fees. Entry and approval of the minor corrections made herein are respectfully requested.

To the extent necessary, Applicant petitions for an extension of time under 37 CFR '1.136. Authorization is herein given to charge any shortage in the fees, including extension of time fees and excess claim fees, to Deposit Account No. 01-2135 (Case No. 500.37453CX2) and please credit any excess fees to such deposit account.

Based upon all of the foregoing, allowance of all presently-pending claims is respectfully requested.

Respectfully submitted,

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